

JOSEPH H. HARRINGTON  
Acting United States Attorney  
Eastern District of Washington  
Benjamin D. Seal  
Assistant United States Attorney  
402 E. Yakima Avenue, Suite 210  
Yakima, Washington 98901  
(509) 454-4425

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON  
DEC 12 2017  
GEAN F. McAVOY, CLERK  
YAKIMA, WASHINGTON DEPUTY

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHRISTOPHER PATRICK KITTLER,  
and HIFA MELISSA SMITH,

Defendants.

**1:17-CR-2061-SMJ**

INDICTMENT

Ct. 1: 18 U.S.C. § 1028(a)(3) –  
Possession with Intent to Use Five or  
More False Identification Documents

Ct. 2: 18 U.S.C. § 1028A – Aggravated  
Identity Theft

Notice of Criminal Forfeiture

The Grand Jury charges:

COUNT 1

On or about September 16, 2017, in the Eastern District of Washington, the  
Defendants, CHRISTOPHER PATRICK KITTLER and HIFA MELISSA SMITH,  
did knowingly possess with intent to use unlawfully five or more false

INDICTMENT

1 identification documents, to wit, a Washington driver's license bearing a name  
2 with the initials CDM; a Washington driver's license bearing a name with the  
3 initials JJE; a Washington driver's license bearing a name with the initials DDN; a  
4 Colorado driver's license bearing a name with the initials JLC; a Washington  
5 driver's license bearing a name with the initials CDM; a Washington driver's  
6 license bearing a name with the initials RTS; a Washington driver's license bearing  
7 a name with the initials JJE; a Washington driver's license bearing a name with the  
8 initials KJG; and a Florida driver's license bearing a name with the initials SAB,  
9 and the possession of the false identification documents was in or affected  
10 interstate or foreign commerce, all in violation of Title 18, United States Code,  
11 Section 1028(a)(3), (b)(2)(B).  
12

13  
14  
15 COUNT 2  
16

17 On or about September 16, 2017, in the Eastern District of Washington, the  
18 Defendants, CHRISTOPHER PATRICK KITTLER and HIFA MELISSA SMITH,  
19 did knowingly possess, without lawful authority, a means of identification of  
20 another person, to wit, a Washington driver's license bearing a name with the  
21 initials CDM; a Washington driver's license bearing a name with the initials JJE; a  
22 Washington driver's license bearing a name with the initials DDN; a Colorado  
23 driver's license bearing a name with the initials JLC; a Washington driver's license  
24 bearing a name with the initials CDM; a Washington driver's license bearing a  
25  
26  
27  
28

1 name with the initials RTS; a Washington driver's license bearing a name with the  
2 initials JJE; a Washington driver's license bearing a name with the initials KJG;  
3 and a Florida driver's license bearing a name with the initials SAB, during and in  
4 relation to a felony violation enumerated in 18 U.S.C. § 1028A(c), to wit,  
5 Possession with Intent to Use Five or More False Identification Documents in  
6 violation of Title 18, United States Code, Section 1028(a)(3), knowing that the  
7 means of identification belonged to another actual person, all in violation of Title  
8 18, United States Code, Section 1028A(a)(1).  
9

11 **NOTICE OF CRIMINAL FORFEITURE**

12  
13 1. The allegations contained in this Indictment are hereby re-alleged and  
14 incorporated by reference for the purpose of alleging forfeitures pursuant to Title  
15 18, United States Code, Sections 982(a)(2)(B) and 1028(b)(5).  
16

17 2. Upon conviction of the offense[s] in violation of Title 18, United  
18 States Code, Section 1028, set forth in Count 1 of this Indictment, Defendants  
19 CHRISTOPHER PATRICK KITTLER and HIFA MELISSA SMITH, shall forfeit  
20 to the United States, pursuant to Title 18, United States Code, Section  
21 982(a)(2)(B), any property constituting, or derived from, proceeds obtained,  
22 directly or indirectly, as a result of such violation(s); and/or pursuant to Title 18,  
23 United States Code, Section 1028(b)(5), any personal property used or intended to  
24 be used to commit the offense[s].  
25  
26  
27  
28

1           3.     If any of the property described above, as a result of any act or  
2 omission of the Defendant(s):

- 3               a.     cannot be located upon the exercise of due diligence;  
4  
5               b.     has been transferred or sold to, or deposited with, a third  
6               party;  
7               c.     has been placed beyond the jurisdiction of the court;  
8               d.     has been substantially diminished in value; or  
9               e.     has been commingled with other property which cannot  
10              be divided without difficulty,

11 the United States of America shall be entitled to forfeiture of substitute property  
12 pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title  
13 18, United States Code, Sections 982(b)(1) and 1028(g)(2) and Title 28, United  
14 States Code, Section 2461(c).  
15

16           All pursuant to Title 18, United States Code, Sections 982(a)(2)(B) and  
17 1028(b)(5) and Title 28, United States Code, Section 2461(c).  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 DATED: December 12, 2017.

2 A TRUE BILL.

3  
4  
5  
6  
7  
8 JOSEPH H. HARRINGTON  
Acting United States Attorney

9 

10 Thomas J. Hanlon  
11 Supervisory Assistant United States Attorney

12 

13 Benjamin D. Seal  
14 Assistant United States Attorney